

AARON D. FORD
Attorney General
VICTORIA C. COREY (Bar No. 16364C)
Deputy Attorney General
State of Nevada
Office of the Attorney General
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
(702) 486-9245 (phone)
(702) 486-3773 (fax)
Email: vcorey@ag.nv.gov

*Attorneys for Defendant
Alice Jacoby*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHELL BLANCO,

Plaintiff,

v.

JACOBY, *et al.*,

Defendants.

Case No. 3:20-cv-00050-ART-CSD

**ORDER GRANTING
MOTION FOR RELIEF FROM
ORDER SCHEDULING
SETTLEMENT CONFERENCE
[ECF NO. 81]**

Defendant Alice Jacoby, by and through counsel Aaron D. Ford, Attorney General and Victoria C. Corey, Deputy Attorney General, hereby moves this Court for relief from the Order Scheduling Settlement Conference. ECF No. 81.

MEMORANDUM OF POINTS AND AUTHORITIES

I. Background

On May 2, 2023, this Court issued an order scheduling a settlement conference (the “Settlement Conference”). ECF No. 81. This Court ordered that unless excused by order of the court, the presence and attendance of the client was required during the settlement conference. *Id.* at 2:6-9. The Court also required that a representative with final settlement authority attend the conference. *Id.* at 2:10-13.

///

///

///

1 **II. Argument**

2 A magistrate judge may resolve non-dispositive matters, and issue orders thereon
3 and as such, this Court has the authority to excuse Jacoby's presence at the conference. *See*
4 28 U.S.C. § 636(b)(1)(A); *see also* Fed. R. Civ. P. 72(a).

5 Defendant Alice Jacoby ("Jacoby") regularly works night shift at Ely State Prison
6 ("ESP") and works Friday, Saturday and Sunday night, and every other Thursday night.
7 Exhibit A – Declaration of Alice Jacoby. Jacoby does not get off work until 5:00 a.m., and
8 occasionally is required to remain on duty until 9:00 a.m. *Id.* Jacoby was ordered by her
9 employer to attend her annual Institutional Training in April 2023 and again in May 2023,
10 both of which were cancelled for various reasons and rescheduled for either in June of 2023
11 or July of 2023. *Id.* Although Jacoby has not received the dates for her mandatory
12 Institutional Training, they must take place on her days off: Monday, Tuesday, or
13 Wednesday. *Id.* According to Jacoby, it is likely that she will have to attend mandatory
14 Institutional Training during the week of June 26, 2023 to June 28, 2023. *Id.* This
15 mandatory training cannot be rescheduled, and Jacoby must attend. *Id.* Additionally,
16 Jacoby does not have access to a working computer while at home. *Id.*

17 While Jacoby is currently required to attend the Settlement Conference, her
18 attendance would not necessarily facilitate settlement in this matter. Jacoby is fully
19 indemnified by the State of Nevada for her actions in this matter. An NDOC representative
20 and the State Tort Claims manager, both of whom possess settlement authority, will be
21 present at the Settlement Conference. Therefore, respectfully, Jacoby's presence is not
22 necessary for the settlement of this matter. Jacoby requests this Court excuse her from the
23 requirement to personally attend this conference.

24 Undersigned Counsel spoke with Opposing Counsel regarding a possible stipulation
25 for Jacoby to be excluded from the settlement conference. However, Opposing Counsel
26 noted to Undersigned Counsel that her client is not in agreement.

27 ///

28 ///

III. Conclusion

Based on the above, the Defendants respectfully request this Court grant relief and allow Jacoby to be excused from the settlement conference.

DATED this 14th day of June, 2023.

AARON D. FORD
Attorney General

By: /s/ Victoria C. Corey
VICTORIA C. COREY (Bar No. 16364C)
Deputy Attorney General

Attorneys for Defendants

IT IS SO ORDERED.

DATED: June 15, 2023.


UNITED STATES MAGISTRATE JUDGE